

Docket No. P-1065

Applicant or Patentee: David A. Wright & Daniel F. Voytas

Serial or Patent No.: Filed Herewith

Filed or Issued: May 28, 1999

For: Plant Retroelements and Methods Related Thereto

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9 (f) and 1.27(d))—NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the organization identified below:

NAME OF ORGANIZATION Iowa State University Research Foundation, Inc.  
ADDRESS OF ORGANIZATION 310 Lab of Mechanics, Ames, Iowa 50011-2131

**TYPE OF ORGANIZATION**

- ☐ University or other institution of higher education  
☐ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3))  
☒ Nonprofit scientific or educational under statute of state of The United States of America  
(Name of state Iowa)  
(Citation of statute Iowa Code Sec. 504(a))  
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3)) if located in The United States of America  
☐ Would qualify as nonprofit scientific or educational under statute of state of The United States of America if located in The United State of America  
(Name of state ---)  
(Citation of statute ---)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9 (e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35 United States Code with regard to the invention entitled Plant Retroelements and Methods Related Thereto by inventor(s) David Wright and Daniel Voytas described in

- ☒ the specification filed herewith.  
☐ the application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate, (37 CFR 1.28 (b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Dr. Kenneth Kirkland  
TITLE OF PERSON OTHER THAN OWNER Executive Director  
ADDRESS OF PERSON SIGNING 310 Lab of Mechanics, Iowa State University, Ames, IA 50011-2131  
SIGNATURE K Kirkland Date 5/28/99

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CHELEDT BALES &amp; JOHNSON

Attorney Docket No.: P-1065A

## DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

As a below-named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable) entitled: **Plant Retroelements and Method Related Thereto**

the specification of which (check one):

- ☒ is attached hereto.  
☐ was filed on \_\_\_\_\_, as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).  
☐ was filed on \_\_\_\_\_, as International Application (PCT) No. \_\_\_\_\_, and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a). I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which the priority is claimed.

## PRIOR FOREIGN APPLICATION(S)

NUMBER	COUNTRY	DAY/MONTH/YEAR FILED	PRIORITY CLAIMED
			Yes No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILING DATE	STATUS (Patented, Pending or Abandoned)
09/322,478	May 28, 1999	Pending

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

APPLICATION NUMBER	FILING DATE	STATUS (Patented, Pending or Abandoned)
60/087,125	May 29, 1998	Abandoned (Provisional)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** I (We) hereby appoint as my (our) attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Kristine H. Johnson, Registration Number 36,835, Jennifer Bales 38,070, and Jean Macheledt 33,956.


Send correspondence to:

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☒ See following pages for additional joint inventors.

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DATE 2 June 2000		SIGNATURE 	

**DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY**

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<b>State or Country</b> Iowa	<b>State or Country</b> Iowa
<b>Zip</b> 50014	<b>Zip</b> 50014
<b>DATE</b> 6/2/00	<b>SIGNATURE</b> Daniel F. Voytas

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<b>State or Country</b>	<b>State or Country</b>
<b>Zip</b>	<b>Zip</b>
<b>DATE</b>	<b>SIGNATURE</b>

<b>Full Name of Additional Joint Inventor</b>	<b>Citizenship</b>
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<b>Zip</b>	<b>Zip</b>
<b>DATE</b>	<b>SIGNATURE</b>

SEE FOLLOWING PAGES FOR ADDITIONAL JOINT INVENTORS